



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,065	06/20/2001	Yoshiaki Hirano	35.C15463	1688

5514 7590 08/11/2005

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

MILIA, MARK R

ART UNIT	PAPER NUMBER
----------	--------------

2622

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/884,065

Applicant(s)

HIRANO, YOSHIAKI

Examiner

Mark R. Milia

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 5/20/05, and has been entered and made of record. Currently, claims 16-29 are pending.

Drawings

2. Applicant's amendment to Figures 2, 9, and 24 to delete reference characters that were not described in the specification has overcome the objection to the Drawings as cited in the previous Office Action. Therefore the objection has been withdrawn.

Specification

3. The amendment filed 5/20/05 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

The amendment to the Summary of Invention section of the specification, to which the applicant wants to replace page 4, line 12 through page 5, line 4 is believed to contain new matter. The new matter is believed to be the third memory and anything

Art Unit: 2622

associated with a third memory. Applicant is requested to provide proof of existence of this feature in the originally filed application or to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 16-29 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The new matter is believed to be the existence of a third memory and all limitations associated with a third memory. Applicant is requested to provide proof of existence of this feature in the originally filed application or to cancel the new matter in the reply to this Office Action.

Response to Arguments

6. Applicant's arguments with respect to newly added claims 16-29 have been considered but are moot in view of the cancellation of claims 1-15 and the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 16-21 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6809834 to Sato.

Regarding claim 16, Sato discloses a printer comprising: a control unit having a first memory for storing image data generated based on print data received from an external apparatus (see Fig. 1 (7) and column 2 lines 30-33), and an engine unit having a second memory for storing the image data received from said control unit and a print engine for printing the image data stored in the second memory (see Fig. 1 (2), column 3 lines 48-61, and column 4 lines 25-44), wherein said control unit includes a transfer

unit for transferring the image data read from the first memory to the second memory (see Fig. 1 (10) and column 2 lines 47-55), and wherein the transfer unit includes a third memory for storing the image data read from the first memory and reads rotated image data from the third memory and transfers the rotated image data to the second memory (see Fig. 1 (8), column 2 lines 34-35, 47-55, and 61-64, column 3 lines 31-40, column 4 lines 52-59, and column 5 lines 4-20).

Regarding claim 19, Sato discloses a control method carried out in a printer that comprises a control unit having a first memory for storing image data generated based on print data received from an external apparatus, and an engine unit having a second memory for storing the image data received from the control unit and a print engine for printing the image data stored in the second memory (see Fig. 1, column 2 lines 30-33, column 3 lines 48-61, and column 4 lines 25-44) said method comprising: a storing step of storing the image data read from the first memory in a third memory (see column 2 lines 30-35), a reading step of reading rotated image data from the third memory (see column 2 lines 40-55, column 3 lines 30-40, and column 5 lines 4-20), and a transferring step of transferring the rotated image data to the second memory (see column 3 lines 30-40, column 4 lines 25-44 and 52-59, and column 5 lines 4-20).

Regarding claims 17 and 20, Sato discloses the system discussed in claims 16 and 19, and further discloses a parallel interface for connecting said control unit and said engine unit to each other (see Fig. 1).

Regarding claims 18 and 21, Sato discloses the system discussed in claims 16 and 19, and further discloses wherein the transfer unit includes a plurality of the third

Art Unit: 2622

memories and wherein the transfer unit transfers one body of image data from one of the plurality of third memories to the second memory, while other image data from the first memory is stored in another of the plurality of third memories (see column 4 lines 25-44).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato in view of U.S. Patent No. 5625466 to Nakajima.

Regarding claim 22, Sato discloses a printer comprising: a control unit having a first memory for storing image data generated based on print data received from an external apparatus (see Fig. 1 (7) and column 2 lines 30-33), and an engine unit having a second memory for storing the image data received from said control unit and a print engine for printing the image data stored in the second memory (see Fig. 1 (2), column 3 lines 48-61, and column 4 lines 25-44), wherein said control unit includes a transfer unit for transferring the image data read from the first memory to the second memory (see Fig. 1 (10) and column 2 lines 47-55), and wherein the transfer unit includes a third memory for storing the image data read from the first memory, and reads rotated image

data from the third memory and transfers the rotated image data to the second memory (see Fig. 1 (8), column 2 lines 34-35, 47-55, and 61-64, column 3 lines 31-40, column 4 lines 52-59, and column 5 lines 4-20).

Sato does not disclose expressly determining whether the rotation of the image is required or not and processing the image accordingly.

Nakajima discloses determining whether the rotation of the image is required or not and processing the image accordingly (see column 6 line 39-column 8 line 26).

Regarding claim 26, Sato discloses a control method carried out in a printer that comprises a control unit having a first memory for storing image data generated based on print data received from an external apparatus, and an engine unit having a second memory for storing the image data received from the control unit and a print engine for printing the image data stored in the second memory (see Fig. 1, column 2 lines 30-33, column 3 lines 48-61, and column 4 lines 25-44), said method comprising: a storing step of storing the image data read from the first memory in a third memory (see column 2 lines 30-35), a transferring step of reading rotated image data from the third memory and transferring the rotated image data to the second memory (see column 3 lines 30-40, column 4 lines 25-44 and 52-59, and column 5 lines 4-20).

Sato does not disclose expressly determining whether the rotation of the image is required or not and processing the image accordingly.

Nakajima discloses determining whether the rotation of the image is required or not and processing the image accordingly (see column 6 line 39-column 8 line 26).

Sato & Nakajima are combinable because they are from the same field of endeavor, rotation of image data to be printed.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the detection of page orientation and determination of the rotation of an image as described by Nakajima with the system of Sato.

The suggestion/motivation for doing so would have been to provide more accurate use of rotation controls and thus decrease the production time of printed material.

Therefore, it would have been obvious to combine Nakajima with Sato to obtain the invention as specified in claims 22 and 26.

Regarding claims 23 and 27, Sato and Nakajima disclose the system discussed in claims 22 and 26, and Sato further discloses a parallel interface for connecting said control unit and said engine unit to each other (see Fig. 1).

Regarding claims 24 and 28, Sato and Nakajima disclose the system discussed in claims 22 and 26, and Sato further discloses wherein the transfer unit includes a plurality of the third memories and wherein the transfer unit transfers one body of image data from one of the plurality of third memories to the second memory, while other image data from the first memory is stored in another of the plurality of third memories (see column 4 lines 25-44).

Regarding claims 25 and 29, Sato and Nakajima disclose the system discussed in claims 22 and 26, and Nakajima further discloses wherein said engine unit informs

said control unit whether the rotation is required (see column 6 line 39-column 8 line 26).

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.


Art Unit: 2622

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached at (571) 272-7402. The fax number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark R. Milia
Examiner
Art Unit 2622

MRM


EDWARD COLES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600